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Metals & Minerals Co., Ltd.*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ANIMAL SCIENCE PRODUCTS, INC. and
RESCO PRODUCTS, INC.,

Plaintiffs,

vs.

CHINA NATIONAL METALS &
MINERALS IMPORT & EXPORT CORP.
et al.,

Defendants.

CIVIL ACTION NO: 2:05-4376 (GEB)(ES)

Hon. Garrett E. Brown, Jr., U.S.D.J.

**NOTICE OF MOTION
TO DISMISS THE FIRST AMENDED
CLASS ACTION COMPLAINT**

Motion Date: September 8, 2009

TO: All Counsel of Record

PLEASE TAKE NOTICE that on the 8th day of September 2009, or as soon thereafter as counsel can be heard, Robinson, Wettre & Miller LLC and Kramer Levin Naftalis & Frankel LLP, shall move before the Honorable Garrett E. Brown, Jr., on behalf of the above-listed

defendants, to dismiss the First Amended Class Action Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) or, alternatively, to abstain from asserting jurisdiction over this matter for reasons of sovereign compulsion, act of state and international comity.

PLEASE TAKE FURTHER NOTICE that, in support of this motion, defendants submit a Memorandum Of Law to Dismiss The First Amended Complaint For Lack Of Subject Matter Jurisdiction And/Or On Grounds Of Abstention, Declaration of Timothy J. Helwick, Declaration of Feng Ba, Declaration of Sijie Zhao and a proposed form of Order.

Dated: June 26, 2009

ROBINSON, WETTRE & MILLER LLC

By: s/ Donald A. Robinson

Donald A. Robinson

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Ltd.*

CERTIFICATION OF SERVICE

I certify that on June 26, 2009, I caused a copy of the attached Notice of Motion, Memorandum Of Law to Dismiss The First Amended Complaint For Lack Of Subject Matter Jurisdiction And/Or On Grounds Of Abstention, the Declaration of Timothy J. Helwick, Declaration of Feng Ba, Declaration of Sijie Zhao and a proposed form of Order to be served on counsel of record via the Court's electronic filing system.

s/Donald A. Robinson
Donald A. Robinson